

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JOSEPH CAPONE,

Plaintiff,

v.

Case No.: 8:20-cv-2623-DNF

COMMISISONER OF SOCIAL
SECURITY,

Defendant.

OPINION AND ORDER

This matter is before the Court on the Unopposed Motion for Entry of Judgment With Remand. (Doc. 18). The parties consented to proceed before a Magistrate Judge for all proceedings. (Doc. 14). The Commissioner of Social Security seeks remand to: “further consider the medical evidence, offer the Plaintiff an opportunity for a new hearing, take any other administration action deemed necessary, and issue a new decision.” (Doc. 18, p. 1). Plaintiff does not object to the relief requested. Thus, the Court will grant the motion.

Accordingly, it is **ORDERED**:

(1) The Unopposed Motion for Entry of Judgment With Reversal and Remand (Doc. 18) is **GRANTED**.

(1) Pursuant to sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is reversed, and this case is remanded to the Commissioner for the Commissioner to further consider the medical evidence, offer the Plaintiff an opportunity for a new hearing, take any other administration action deemed necessary, and issue a new decision.

(2) The Clerk of Court is directed to enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida on October 22, 2021.



DOUGLAS N. FRAZIER
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties